

Practitioner's Docket No. 70301/56834

## IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

PCT/EP00/05559	June 16, 2000	June 25, 1999
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

METHOD AND DEVICE FOR PRODUCING AN OBJECT BY MEANS OF STEREOLITHOGRAPHY  
TITLE OF INVENTION

Steffen POLLACK, Martin GERLOFF, Michael ZIMMERMAN  
 APPLICANT(S) FOR DO/US

**Box PCT**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

ATTENTION: DO/US

**COMPLETION OF FILING REQUIREMENTS  
 FOR INTERNATIONAL APPLICATION ENTERING NATIONAL  
 STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. 371**

(check and complete the following item, if applicable)

- This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. 1.494 (FORM PCT/DO/EO/905).
- A copy of FORM PCT/DO/EO/905 accompanies this response.

**WARNING:** *Filing requirements, including translation of the international application, the declaration, the national fee and the payment of all the surcharge(s) in connection with the filing of these items after twenty (20) months from the priority may be met within twenty-two (22) months from the priority date. Failure to comply with these requirements Will result in abandonment. The provisions of 37 CFR 1.136 for extensions of time do not apply to the 22 month period. 37 CFR 1.61(b).*

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**CERTIFICATION UNDER 37 C.F.R. 1.10\***

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date March 22, 2002, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL 931635555, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

DENISE A. ROSE

(type or print name of person mailing paper)

Denise A. Rose

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Completion of Filing Requirements for International Application Entering National Stage in Designated Office (DO/US) under 35 USC 371--page 1 of 6)

**NOTE:** *The completion of the filing requirements within 22 months (instead of 20 months) from the priority date results from the Commissioner exercising his judgment under the authority granted under 35 USC 371(d). The filing receipt will show the actual date of receipt of the last item completing the entry into the national phase. See 37 CFR 1.491 which states: "An international application enters the national stage when the applicant has filed the documents and fees required by 35 USC 371(c) within the periods set forth in § 1.494 and § 1.495."*

**WARNING:** *Where the items being submitted to complete the entry of the international application into the national phase are subsequent to 20 months from the priority date, the application is still considered to be in the international stage. If mailing procedures are utilized to obtain a date, the express mail procedure of 37 CFR 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 CFR 1.8(2)(xi)).*

**NOTE:** *Documents and fees must be clearly identified as a submission to enter the national stage under 35 USC 371. Otherwise, the submission will be considered as being made under 35 USC 111. 37 CFR 1.494(f).*

## DECLARATION OR OATH

- I.      No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

**NOTE:** *For surcharge fee for filing declaration after filing date, complete item IV(2).*

**NOTE:** *Acceptable minimums in the declaration in an ordinarily filed U.S. application for identification of the specification to which it applies are the name of the inventor and (1) serial number, (2) attorney docket number that was on the application as filed and the filing date, (3) title of the invention and filing date, (4) title of invention and reference to a specification that is attached to the declaration at the time of execution and filed with the declaration, or (5) title of invention and a statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration. If identification (4) is used, it must be accompanied by a statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date. Such a statement must be a verified statement if made by a person not registered to practice before the PTO. Notice of September 12, 1983 (1035 O.G. 3).*

**NOTE:** *Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 CFR 1.10(c).*

**NOTE:** *37 CFR 1.41(a) points out that "Full names must be stated, including the family name and at least one given name without abbreviation together with any other given name or initial."*

*(complete (a) or (b), if applicable)*

Attached is a

- (a)      Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.  
(b)      Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

## AMENDMENT

- II.     *(complete as applicable)*

- [ ] An amendment in accordance with 37 C.F.R. § 1.121 is attached.  
[ ] The attached amendment cancels claims \_\_\_\_\_ inclusively.

## TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- III. [ X ] Submitted herewith, is a English translation of the non-English language international application papers as originally filed\*. It is requested that this translation be used as the copy for examination purposes in the PTO. (See 37 CFR 1.494(b)(2)).  
**\*(DRAWINGS ONLY REQUIRED)**

*NOTE: For fee for processing a non-English application, complete item IV(4).*

*NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).*

*NOTE: Unlike the filing of an ordinary non-English application (37 CFR 1.52(d) the translation of an international application entering the U.S. national phase need not be verified. 37 CFR 1.494(e). If necessary, however, a verified translation may be required. 37 CFR 1.494(e). Moreover, if the English translation is filed within 20 months from the priority date, no processing fee is required.*

### FEES

#### IV.

*NOTE: See 37 CFR 1.28(a).*

##### 1. Fees for claims

[ ]	Each independent claim in excess of 3 (37 CFR 1.492(b) \$78.00; Small entity—\$39.00)	\$ _____
[ ]	Each claim in excess of 20 (37 CFR 1.492(c) - \$18.00; small entity—\$9.00)	\$ _____
[ ]	Multiple dependent claim(s) (37 CFR 1.492(d) - \$260.00; small entity—\$130.00)	\$ _____

##### 2. Surcharge fees

[ ]	Surcharge set forth in § 1.492(e), for accepting the declaration later than 20 months after the priority date in filing an application in the U.S. as a designated office— \$130.00; small entity—\$65.00	\$ _____
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*NOTE: The processing fee in the next item (Number 3) below is not subject to a reduction for small entity status.*

##### 3.

[ X ]	Processing fee set forth in § 1.492(f), for acceptance of an English translation later than 20 months after the priority date—\$130.00	\$ <u>130.00</u>
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4. [ x ] Assignment (See "ASSIGNMENT COVER SHEET".)	\$ <u>40.00</u>
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03/27/2002 LLANDGRA 00000037 10019867

Total fees \$ 170.00

03 FC:156

130.00 OP

## SMALL ENTITY STATUS

### V. A statement that this filing is by a small entity

*NOTE: See 37 CFR 1.28(a).*

- (check and complete applicable items)*
- a.  is attached.
  - was filed on \_\_\_\_\_ (original).
  - b.  A separate refund request accompanies this paper.

## EXTENSION OF TIME

*(complete (a) or (b), as applicable)*

### VI.

The proceedings herein are for a patent application. The provisions of 37 C.F.R. § 1.136(a) apply.

- (a)  Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked out below:

<u>Extension (months)</u>	<u>Fee for over than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

**Fee \$** \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefore.

*(check and complete the next item, if applicable)*

- An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_.

*or*

- (b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

VII. The total fee due is:

Completion fee(s)	\$ <u>170.00</u>
Extension fee (if any)	\$ _____
<b>TOTAL FEE DUE</b>	<b>\$ <u>170.00</u></b>

## PAYMENT OF FEES

VIII.

- [ X ] Enclosed is a check in the amount of \$ 170.00.  
[ ] Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate of this request is attached.

*NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).*

## AUTHORIZATION TO CHARGE ADDITIONAL FEES

IX.

**WARNING:** Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges.

*NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR 1.136(a)(3).*

*NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 CFR 1.26(a).*

- [X] The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper, and during the entire pendency of this application, to Account No. 04-1105.  
[ ] 37 C.F.R. 1.492(a)(2), 1.492(a)(3), or 1.492(a)(5) (filing fees)  
[ ] 37 C.F.R. 1.492(b) (presentation of extra claims)

*NOTE: Because additional fees for excess or multiple dependent claims not paid on filing, or on later presentation, must only be paid, or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.*

- [ ] 37 C.F.R. 1.17 (application processing fees)  
[ ] 37 C.F.R. 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

**WARNING:** While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a), this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail unless a "quest or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

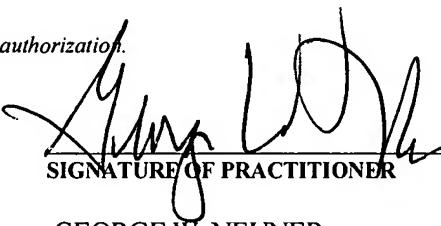
37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311 (b)).

**NOTE:** *Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).*

**NOTE:** *37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity*

37 C.F.R. 1.492(e) and (f) (surcharge fees for filing the declaration and/or an English translation of an international application later than 20 months from the earliest claimed priority date)

**WARNING:** *It is suggested that you always check this last authorization.*



3/20/02

SIGNATURE OF PRACTITIONER

GEORGE W. NEUNER  
(type or print name of practitioner)

Reg. No. 26,964

Tel. No.: (617) 439-4444

Edwards & Angell, LLP  
P.O. Box 9169  
P.O. Address

Customer No. 21874

Boston, MA 02209

BOS2\_193737.1

Docket No. 70301/56834

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** POLLACK, et al.      **EXAMINER:** Not Yet Assigned  
**SERIAL NO.** 10/019,867      **GROUP:** Not Yet Assigned  
**FILED:** December 21, 2001

METHOD AND DEVICE FOR PRODUCING AN OBJECT BY  
MEANS OF STEREOLITHOGRAPHY

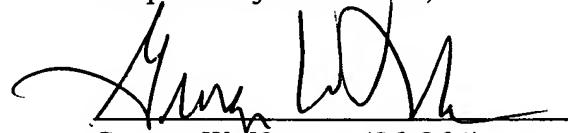
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

**ATTORNEY STATEMENT**

I certify that the above-identified application filed in the United States Patent and Trademark Office is the application that the inventors executed by signing the declaration.

Respectfully submitted,



George W. Neuner (26,964)  
Attorney for Applicant  
Dike, Bronstein, Roberts & Cushman  
Intellectual Property Practice Group  
EDWARDS & ANGELL, LLP  
101 Federal Street  
Boston, MA 02110  
(617) 439-4444

Date: March 21, 2002

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): POLLACK, et al.

Docket No.

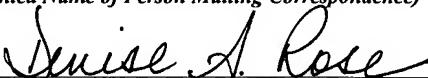
56834/70301

Serial No.  
10/019,867Filing Date  
December 21, 2001Examiner  
Not Yet AssignedGroup Art Unit  
Not Yet AssignedInvention: **METHOD AND DEVICE FOR PRODUCING AN OBJECT BY MEANS OF STEREOLITHOGRAPHY**

I hereby certify that this **COMPLETION OF FILING REQUIREMENTS**  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on March 22, 2002  
*(Date)*

**DENISE A. ROSE***(Typed or Printed Name of Person Mailing Correspondence)*

  
*(Signature of Person Mailing Correspondence)*
**EL 931635555 US***("Express Mail" Mailing Label Number)*

**Note:** Each paper must have its own certificate of mailing.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): POLLACK, et al.

Docket No.

56834/70301

Serial No.

10/019,867

Filing Date

December 21, 2001

Examiner

Not Yet Assigned

Group Art Unit

Not Yet Assigned

Invention: **METHOD AND DEVICE FOR PRODUCING AN OBJECT BY MEANS OF STEREOLITHOGRAPHY**I hereby certify that this **REQUEST UNDER 37 CFR 1.28(c)***(Identify type of correspondence)*is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.20231-0001 on **March 22, 2002**  
*(Date)***DENISE A. ROSE***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL 931635555 US***("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

Docket No. 70301/56834**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****APPLICANT:** POLLACK, et al.**SERIAL NO.:** 10/019,867**FILED:** December 21, 2001**FOR:** METHOD AND DEVICE FOR PRODUCING AN OBJECT  
BY MEANS OF STEREOLITHOGRAPHYAssistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST UNDER 37 CFR 1.28(c) TO EXCUSE ERROR  
IN PAYMENT OF SMALL ENTITY FEES**

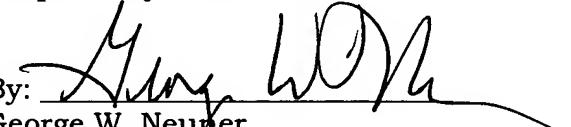
It has been discovered that small entity status was erroneously established in the above application and certain fees in connection with the above identified patent application and maintenance of the patent issued thereon (if applicable) were erroneously paid as a small entity without any deceptive intent. Upon a review of the circumstances, it is presently believed that the large entity fees should have been paid. Because it was not appreciated that small entity status was erroneously established, without any deceptive intent, no notification of change in status resulting in loss of entitlement to small entity status was filed in the Office, as required under 37 CFR 1.28(b).

In accord with the provisions of 37 CFR 1.28(c), the deficiency between the amount paid and the amount due is submitted herewith, wherein the deficiency calculated based on the fee, for other than small entity, in effect at the time the deficiency is paid in full. The fee is calculated on the attached schedule showing the fees actually paid and the present fee in effect for other than small entity.

Further, in accord with the provisions of 37 CFR 1.28(c), it is requested that the error be excused. A check in the amount of \$510.00 is enclosed. If any additional fee is required, the Commissioner is authorized hereby to charge Deposit Account No. 04-1105.

Date: 20 March '02

Respectfully submitted,

By:   
George W. Neuner  
Reg. No. 26,964  
Dike, Bronstein, Roberts & Cushman  
Intellectual Property Practice Group  
EDWARDS & ANGELL, LLP  
101 Federal Street  
Boston, MA 02110-1800  
(617) 439-4444

POLLACK, et al.  
Docket No. 70301/56834  
U.S. Serial No. 10/019,867

Date	Description of Fee	Fee Actually Paid	Present Large Entity Fee	Fee Du
12/21/2001	Application Filing Fee	\$510.00	\$1020.00	\$510.00

TOTAL FEE DUE: \$ 510.00

BOS2\_193747.1

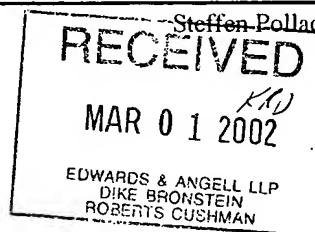


## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20233  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,867	Steffen Pollack	70301/56834

George W Neuner  
 Dike Bronstein Roberts & Cushman  
 Edward & Angell  
 101 Federal Street  
 Boston, MA 02110



INTERNATIONAL APPLICATION NO.	
PCT/EP00/05559	

I.A. FILING DATE	PRIORITY DATE
06/16/2000	06/25/1999

CONFIRMATION NO. 8080  
 371 FORMALITIES LETTER



\*OC00000007499769\*

Date Mailed: 02/22/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- o U.S. Basic National Fees
- o Indication of Small Entity Status
- o Priority Document
- o Copy of IPE Report
- o Copy of references cited in ISR
- o Copy of the International Application
- o Copy of the International Search Report
- o English Translation of the IA
- o Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- o Translation of the application into English. The current translation of the application into English is defective as described below.
  - The text in the drawings has not been properly translated.
- o Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- o Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN

**ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Small Entity:

- **\$130** for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

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Telephone: (703) 305-3688

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,867	PCT/EP00/05559	70301/56834

FORM PCT/DO/EO/905 (371 Formalities Notice)